

Applicants : Nancy Carrasco, Ge Dai and Orlie Levy
Serial No. : 09/995,007
Filed : November 26, 2001
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REMARKS

Claims 56-70 are pending in this case. By this Amendment, applicants have amended claims 56 and 63, and added new claims 76-86. Accordingly, upon entry of this Amendment, claims 56-70 as amended and new claims 76-86 will be pending and under examination.

Applicants maintain that the amendments to the claims do not raise an issue of new matter. Support for the amendments to claim 56 and for new claims 76-77 can be found *inter alia* in the specification at least on page 11, lines 19-21; page 22, lines 32-33; page 23, lines 28-29; and in the previous version of the claim 56. Support for the amendments to claim 63 and new claims 78-79 can be found *inter alia* in the specification at least on page 7, lines 1-15; page 10, lines 25-26; page 21, lines 10-11 and 27; and page 23, lines 13 and 26-27. Support for new claim 80 can be found *inter alia* in the specification at least on page 11, lines 19-21; page 12, lines 9-11; page 22, lines 32-33; page 23, lines 28-29; and in claim 56. Support for new claims 81-86 can be found in claims 57-62, respectively. Accordingly, applicants respectfully request that the Amendment be entered.

Rejections under 35 U.S.C. §112, First Paragraph

Claims 56-62 are rejected under 35 U.S.C. §112, first paragraph, as not enabled for the full scope of the claims.

Applicants have hereinabove amended claim 56 to recite that the nucleic acid probe of the claimed method "comprises nucleotides set forth in SEQ ID NO:1 or ... detects nucleotides set forth in SEQ ID NO:1." Applicants maintained that the teachings of the specification enable the skilled artisan to practice the claimed invention without undue experimentation. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

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Claims 63-70 are rejected under the written description and enablement requirements of 35 U.S.C. §112, first paragraph, for the full scope of the claims.

Applicants have hereinabove amended claim 63 to recite that the antibody of the claimed method "is immunoreactive with a protein having the amino acid sequence set forth in SEQ ID NO:2 and/or with a protein comprising twelve transmembrane domains and amino acid residues Asp 16, Glu 79 and Arg 208." Applicants maintain that the teachings of the specification both convey to the skilled artisan that the inventors had possession of the claimed invention at the time the application was filed and enable the skilled artisan to practice the claimed invention without undue experimentation. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

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CONCLUSION

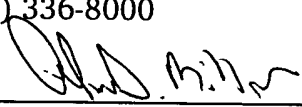
In view of the amendments and remarks made hereinabove, applicants respectfully request that the Examiner reconsider and withdraw the rejections set forth in the October 1, 2003 Office Action and earnestly solicits allowance of the claims under examination, namely claims 56-70 and 76-86. If there are any minor matters that would prevent allowance of the subject application, the Patent Office is requested to contact the undersigned attorneys.

A check in the amount of \$54.00 is enclosed to cover the small entity fee for 6 claims in excess of 20 claims (\$9.00 per excess claim). No additional fee is deemed necessary in connection with the filing of this response. However, if any other fee is required to preserve the pending of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: New York, New York
December 9, 2003

By 
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